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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/623,483
Filing Date	July 18, 2003
First Named Inventor	Andy C. Neilson
Art Unit	1743
Examiner Name	
Attorney Docket Number	FSII 308

Total Number of Pages in This Submission

23

ENCLOSURES (Check all that apply)

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|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
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(Appeal Notice, Brief, Reply Brief)
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Identify below):
** PTO-1449 forms (19 pages) |
|---|--|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James R. Abney, Esq. Kolisch Hartwell, P.C.
Signature	<i>James R. Abney</i>
Date	January 5, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Renee Knight		
Signature	<i>Renee Knight</i>	Date	January 5, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ANDY C. NEILSON and MICHAEL R. SWEENEY

Date: January 5, 2004

Serial No. : 10/623,483

Group Art Unit 1743

Filed : July 18, 2003

For : APPARATUS AND METHODS FOR
MEASURING REACTION BYPRODUCTS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

CONTENT OF DISCLOSURE

This Information Disclosure Statement includes 19 pages of PTO-1449 forms; however, it does not include copies of the references listed on the form(s), as permitted under 37 C.F.R. § 1.98(d), because copies already were provided in an earlier U.S. application (Serial No. 10/001,892, filed November 19, 2001) that is relied on here for an earlier effective filing date under 35 U.S.C. § 120.

FOREIGN-LANGUAGE REFERENCES

A concise explanation of the relevance of each listed reference not in the English language follows:

European Patent No. 0 240 109 A2 - This document appears to disclose microplates, as illustrated in the figures.

German No. DE 298 05 613 U1 - This document appears to disclose miniature microplates for HTS-screening, as illustrated in the figures.

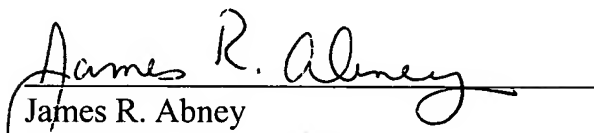
TIMING OF DISCLOSURE / FEE INFORMATION

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Therefore, in accordance with 37 C.F.R. § 1.97(b), no fee or statement under 37 C.F.R. § 1.97(e) is required.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

Respectfully submitted,

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Renee Knight



SHEET 1 OF 19

FORM PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER FSII 308		APPLICATION NUMBER 10/623,483		
		APPLICANTS Andy C. Neilson et al.				
		FILING DATE July 18, 2003		GROUP ART UNIT 1743		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	2,056,791	10/06/36	Logan			
	3,013,467	12/19/61	Minsky			
	3,540,858	11/17/70	Rochte et al.			
	3,849,654	11/19/74	Malvin			
	4,011,451	03/08/77	Nelson			
	4,024,560	05/17/77	Miller et al.			
	4,053,381	10/11/77	Hamblen et al.			
	4,067,653	01/11/78	Fletcher et al.			
	4,162,896	07/31/79	Hosli			
	4,221,966	09/09/80	Kerr et al.			
	4,231,989	11/04/80	Thoma			
	4,240,751	12/23/80	Linnecke et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	WO94/29024	12/22/94	WIPO			XX
	WO98/15813	4/16/98	WIPO			XX
OTHER DOCUMENTS						
	PCR Reaction Vessels brochure, Corning Costar Corporation, September 1996.					
	<i>Infrared Thermogenic Screening of Combinatorial Libraries of Heterogeneous Catalysts</i> , Moates et al., <i>Ind. Eng. Chem. Res.</i> , Vol. 35, No. 12, pp. 4801-4803, 1996.					
	Miniprep 50 Mini Sample Processor brochure, Tecan AG, June 1997.					
EXAMINER			DATE CONSIDERED			



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	4,245,052	01/13/81	Lund			
	4,292,273	09/29/81	Butz et al.			
	4,332,768	06/01/82	Berglund			
	4,397,560	08/09/83	Andresen			
	4,461,328	07/24/84	Kenney			
	4,498,510	02/12/85	Minshew, Jr. et al.			
	4,501,970	02/26/85	Nelson			
	4,545,958	10/08/85	Doptaka			
	4,591,550	05/27/86	Hafeman et al.			
	4,599,315	07/08/86	Terasaki et al.			
	4,622,208	11/11/86	Namba et al.			
	4,626,684	12/02/86	Landa			
FOREIGN PATENT DOCUMENTS						
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	WO98/46981	10/22/98	WIPO			XX
	WO99/04228	01/28/98	WIPO			XX
OTHER DOCUMENTS						
	Advanced Microplate Washers brochure, Tecan AG, July 1997.					
	Genesis Series Robotic Sample Processors brochure, Tecan AG, October 1997.					
	Genesis Robotic Microplate Processor brochure, Tecan AG, November 1997.					
	Miniprep 75 Robotic Sample Processor brochure, Tecan AG November 1997.					
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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	4,669,978	06/02/87	Klefisch			
	4,670,219	06/02/87	Nelson et al.			
	4,704,255	11/03/87	Jolley			
	4,704,353	11/03/87	Humphries et al.			
	4,707,067	11/17/87	Haberland et al.			
	4,730,921	03/15/88	Klein et al.			
	4,735,778	04/05/88	Maruyama et al.			
	4,738,825	04/19/88	Kelln et al.			
	4,741,619	05/03/88	Humphries et al.			
	4,762,420	08/09/88	Bowley			
	4,772,453	09/20/88	Lisenbee			
	4,788,150	11/29/88	Nelson et al.			
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	WO99/08233	02/18/99	WIPO			XX
	WO99/23466	05/14/99	WIPO			XX
OTHER DOCUMENTS						
	A Measure of brilliance, TR717 Microplate Luminometer brochure, Tropix, Inc. 1997.					
	Advanced Microplate Detection Systems brochure, Tecan AG, February 1998.					
	The SPECTRA Family brochure, Tecan AG, February 1998.					
	Assist Plate Handling Device brochure, Labsystems, May 1998					
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	4,801,804	01/31/89	Rosenthal			
	4,810,096	03/07/89	Russell et al.			
	Des. 303,149	08/29/89	Andersen			
	4,868,103	09/19/89	Stavrianopoulos et al.			
	4,873,633	10/10/89	Mezei et al.			
	4,874,948	10/17/89	Cielo et al.			
	4,883,579	11/28/89	Humphries et al.			
	4,892,409	01/09/90	Smith			
	4,894,347	01/16/90	Hillyard et al.			
	4,931,402	06/05/90	Abplanalp			
	4,936,682	06/26/90	Hoyt			
	4,948,442	08/14/90	Manns			

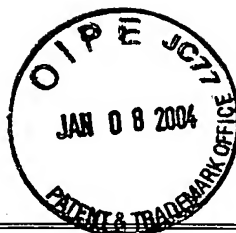
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	WO99/37203	07/29/99	WIPO			XX	
	WO99/42817	08/26/99	WIPO			XX	

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	Genesis Assay Workstation brochure, Tecan AG, July 1998.
	Genesis Logistics Workstation brochure, Tecan AG, July 1998.
	Polarion brochure, Tecan AG, August 1998.
	A Catalog of Reagents, Microplates and Accessories of Life Science Research, Book 2, Packard BioScience Company, December 1998.

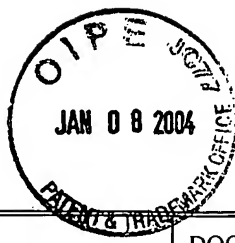
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	4,968,148	11/06/90	Chow et al.			
	4,979,093	12/18/90	Laine et al.			
	4,979,821	12/25/90	Schutt et al.			
	5,002,889	03/26/91	Klein			
	5,017,019	05/21/91	Pompei			
	5,047,215	09/10/91	Manns			
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	5,086,022	02/04/92	Roca et al.			
	5,091,652	02/25/92	Mathies et al.			
	5,110,556	05/05/92	Lyman et al.			
	5,112,134	05/12/92	Chow et al.			
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	WO99/54711	10/28/99	WIPO			XX
	WO99/60630	11/25/99	WIPO			XX
OTHER DOCUMENTS						
	CytoFluor Fluorescence Multi-Well Plate Reader Brochure, PerSeptive Biosystems, 1998.					
	Setting the Standard, the HTS Compatibility Program brochure, Corning Incorporated, 1998.					
	Microplate Instrumentation catalogue, Labsystems, 1998.					
	Luc-Screen brochure, Tropix, Inc., 1998.					
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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	5,169,601	12/08/92	Ohta et al.			
	5,178,019	01/12/93	Keiter			
	5,198,670	03/30/93	VanCauter et al.			
	5,199,436	04/06/93	Pompei et al.			
	5,204,268	04/20/93	Matsumoto			
	5,206,568	04/27/93	Björnson et al.			
	5,207,987	05/04/93	Kureshy et al.			
	5,208,161	05/04/93	Saunders et al.			
	5,216,488	06/01/93	Tuunanen et al.			
	5,225,164	07/06/93	Astle			
	5,262,128	11/16/93	Leighton et al.			
	5,273,718	12/28/93	Sköld et al.			
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	WO00/04364	01/27/00	WIPO			XX
	WO00/05336	02/03/00	WIPO			XX
OTHER DOCUMENTS						
	Nunc Products 1998-99 Catalog, Nalge Nunc International, 1998.					
	Advanced Microplate Washers, Tecan AG, April 1999.					
	<i>Everything's Great When It Sits on a Chip</i> , Sinclair, <i>The Scientist</i> , Vol. 13, No. 11, May 24, 1999.					
	<i>Assay Miniaturization for High-Throughput Screening</i> , Panfili, September 1999.					
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	5,275,951	01/04/94	Chow et al.			
	5,287,758	02/22/94	Geiss et al.			
	5,296,195	03/22/94	Pang et al.			
	5,307,144	04/26/94	Hiroshi et al.			
	5,319,436	06/07/94	Manns et al.			
	5,340,747	08/23/94	Eden			
	5,341,215	08/23/94	Seher			
	5,349,436	09/20/94	Fisch			
	5,355,215	10/11/94	Schroeder et al.			
	5,376,335	12/27/94	Gleaves			
	5,381,796	01/17/95	Pompei			
	5,384,093	01/24/95	Ootani et al.			

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	WO00/06989	02/10/00	WIPO			XX	
	WO00/06990	02/10/00	WIPO			XX	

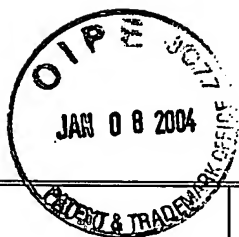
OTHER DOCUMENTS

	CyBi™-Disk brochure, CyBio AG, October 1999.
	TWISTER™, Tecan's Automated Microplate Handler brochure, Tecan AG, November 1999.
	Magellan, Instrument Control and Data Analysis Software brochure, Tecan AG, November 1999.

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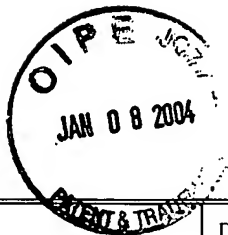
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	5,386,831	02/07/95	Gluck			
	5,401,465	03/28/95	Smethers et al.			
	5,436,718	07/25/95	Fernandes et al.			
	5,443,791	08/22/95	Cathcart et al.			
	5,445,157	08/29/95	Adachi et al.			
	5,445,158	08/29/95	Pompei			
	5,449,921	09/12/95	Baba			
	5,457,527	10/10/95	Manns et al.			
	5,459,300	10/17/95	Kasman			
	5,469,855	11/28/95	Pompei et al.			
	5,487,872	01/30/96	Hafeman et al.			
	5,497,670	03/12/96	Carl			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	WO00/06991	02/10/00	WIPO			XX
	WO00/42209	07/20/00	WIPO			XX
OTHER DOCUMENTS						
	Handout Information, Tips and Tricks...Automated Liquid-Handling in the Microplate Format, CyBio AG, November 1999.					
	Absorbance Readers brochure, Tecan AG, December 1999.					
	ULTRA - The Solution for HTS and Assay Development brochure, Tecan Austria GmbH, December 1999.					
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	5,508,197	04/16/96	Hansen et al.			
	5,512,492	04/30/96	Herron et al.			
	5,516,490	05/14/96	Sanadi			
	5,527,684	06/18/96	Mabile et al.			
	5,531,697	07/02/96	Olsen et al.			
	5,531,698	07/02/96	Olsen			
	5,540,889	07/30/96	Gordon et al.			
	5,542,012	07/30/96	Fernandes et al.			
	5,560,811	10/01/96	Briggs et al.			
	5,589,136	12/31/96	Northrup et al.			
	5,589,350	12/31/96	Bochner			
	5,589,351	12/31/96	Harootunian			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	WO00/50877	08/31/00	WIPO			XX
	WO00/55372	09/21/00	WIPO			XX
OTHER DOCUMENTS						
	CyBi™-PlateSafe brochure, CyBio AG, May 2000					
	CyBi™-Lumax 1,536 brochure, CyBio AG, May 2000					
	CyBi™-Well 2000 brochure, CyBio AG, May 2000					
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	5,592,289	01/07/97	Norris			
	5,599,500	02/04/97	Jones			
	5,604,130	02/18/97	Warner et al.			
	5,615,672	04/01/97	Braig et al.			
	5,620,894	04/15/97	Barger et al.			
	5,628,323	05/13/97	Pompei			
	5,633,724	05/27/97	King et al.			
	5,645,800	07/08/97	Masterson et al.			
	5,650,125	07/22/97	Bosanquet			
	5,653,239	08/05/97	Pompei et al.			
	5,655,839	08/12/97	Schmidt et al.			
	5,663,545	09/02/97	Marquiss			
FOREIGN PATENT DOCUMENTS						
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	WO00/66269	11/09/00	WIPO			XX
	WO01/04608	01/18/01	WIPO			XX
OTHER DOCUMENTS						
	Packard BioScience Company Introduces the Fusion™ Universal Microplate Analyzer Press Release, Packard BioScience Company, June 29, 2000.					
	Fusion™, Universal Microplate Analyzer, Packard BioScience Company, August 2000.					
	ProxiPlate internet description page, Packard BioScience Company, printed September 17, 2000.					
EXAMINER			DATE CONSIDERED			



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	5,666,962	09/16/97	Lamey			
	5,670,113	09/23/97	Akong et al.			
	5,677,196	10/14/97	Herron et al.			
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	5,679,310	10/21/97	Manns			
	5,693,942	12/02/97	Endo et al.			
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	5,750,410	05/12/98	Dou et al.			
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	WO01/85901	11/15/01	WIPO			XX
	WO02/11881	02/14/02	WIPO			XX
OTHER DOCUMENTS						
	Approaching the 2 μ L to 10 μ L Range: 384 Well Small Volume vs. 1536 Well Plates poster, Greiner Labortechnik, September 2000.					
	SPECTRAmax® GEMINI XS brochure, Molecular Devices Corp., June 2000					
	SPECTRAmax® PLUS ³⁸⁴ brochure, Molecular Devices Corp., June 2000.					
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	5,756,050	05/26/98	Ershow et al.			
	5,756,304	05/26/98	Jovanovich			
	5,759,494	06/02/98	Szlosek			
	5,766,875	06/16/98	Hafeman et al.			
	5,770,151	06/23/98	Roach et al.			
	5,771,261	06/23/98	Anbar			
	5,772,966	06/30/98	Maracas et al.			
	5,772,967	06/30/98	Wannlund et al.			
	5,774,214	06/30/98	Prettyjohns			
	5,780,857	07/14/98	Harju et al.			
	5,790,586	08/04/98	Hilton, Jr. et al.			
	5,795,305	08/18/98	Cho et al.			

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	0 204 109 A2	12/10/86	EPO			XX	
	0 259 386 B1	04/17/91	EPO				XX

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	Labcyte: Research and Clinical Instruments for Life Sciences brochure, Arlena Research LLC, August 1, 2000.
	CyBi™-Screen-Machine: One System-Many Solutions brochure, CyBio AG, 2000.
	Reacti-Bind™ Metal Chelate High Binding CapacityPlates flyer, Pierce Chemical Company, 2000.
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	5,798,035	08/25/98	Kirk et al.			
	5,798,085	08/25/98	Seaton et al.			
	5,800,778	09/01/98	Chen et al.			
	5,801,055	09/01/98	Henderson			
	5,810,010	09/22/98	Anbar			
	5,811,256	09/22/98	Bryant			
	5,813,982	09/29/98	Baratta			
	5,820,263	10/13/98	Ciobanu			
	5,820,264	10/13/98	Tsao et al.			
	5,840,256	11/24/98	Demers et al.			
	5,842,582	12/01/98	DeStefano, Jr.			
	5,846,708	12/08/98	Hollis et al.			

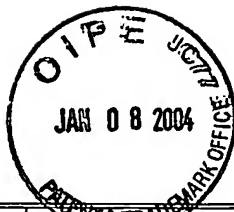
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	0 266 881 A2	05/11/88	EPO			XX
	0 542 422 A1	05/19/93	EPO			XX

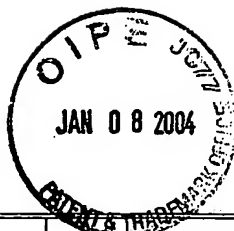
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	Reacti-Bind™ Metal Chelate Plates flyer, Pierce Chemical Company, 2000.
	Reacti-Bind™ NeutrAvidin™ High Binding Capacity (HBC) Coated Plates Flyer, Pierce Chemical Company, 2000.
	Reacti-Bind™ NeutrAvidin™ and Streptavidin Coated Plates Flyer, Pierce Chemical Company, 2000.

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	5,853,894	12/29/98	Brown			
	5,858,309	01/12/99	Mathus et al.			
	5,873,394	02/23/99	Meltzer			
	5,873,833	02/23/99	Pompei			
	5,874,048	02/23/99	Seto et al.			
	5,879,632	03/09/99	Demers			
	5,882,597	03/16/99	Astle			
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	5,888,454	03/30/99	Leistner et al.			
	5,891,619	04/06/99	Zakim et al.			
	5,893,833	04/13/99	Pompei et al.			
	5,910,287	06/08/99	Cassin et al.			
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	0 977 037 A1	02/02/00	EPO			XX
	1 003 020 A1	05/24/00	EPO			XX
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	Reacti-Bind™ Streptavidin High Binding Capacity [HBC] Coated Plates Flyer, Pierce Chemical Company, 2000.					
	Nunc Life Science Discovery Products catalog, Nalge Nunc International Corporation, 2000.					
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	5,911,953	06/15/99	Ogata et al.			
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	5,958,694	09/28/99	Nikiforov			
	5,959,297	09/28/99	Weinberg et al.			
	5,961,466	10/05/99	Anbar			
	5,961,926	10/05/99	Kolb et al.			
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	5,993,746	11/30/99	Priha et al.			
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	5,999,842	12/07/99	Harrison et al.			
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	1 003 039 A1	05/24/00	EPO			XX
	DE29805613U1	07/09/98	Germany			XX
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	Acumen Explorer brochure, Acumen, undated.					
	FLUOstar Galaxy brochure, BMG Labtechnologies GmbH, undated.					
	LUMIstar Galaxy brochure, BMG Labtechnologies GmbH, undated.					
	NEPHELOstar brochure, BMG Labtechnologies GmbH, undated.					
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	6,018,388	01/25/00	Nawracala et al.			
	6,021,253	02/01/00	Bell			
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	6,023,637	02/08/00	Liu et al.			
	6,025,985	02/15/00	Leytes et al.			
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	6,030,342	02/29/00	Amano et al.			
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	POLARstar Galaxy flyer, BMG Labtechnologies GmbH, undated.					
	REMP 384 Tube Technology flyer, REMP (USA) Inc., undated.					
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	6,063,633	05/16/00	Willson, III			
	6,071,748	06/06/00	Modlin et al.			
	6,083,761	07/04/00	Kedar et al.			
	6,090,050	07/18/00	Constantinides			
	6,097,025	08/01/00	Modlin et al.			
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	6,129,673	10/10/00	Fraden			
	6,157,854	12/05/00	Haber et al.			
	6,159,425	12/12/00	Edwards et al.			

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	Complete Sealing Solutions for Sample Integrity flyer, REMP (USA) Inc., undated.
	High Throughput Screening brochure, Greiner America, Inc., undated.
	PW 384 brochure, PanVera Corporation, undated.
	Protein Kinase C (PKC) tech specs, PanVera Corporation, undated.

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	6,172,367	01/09/01	Fritz et al.			
	6,187,267	02/13/01	Taylor et al.			
	6,190,329	02/20/01	Cheng			
	6,195,445	02/27/01	Dubuisson-Jolly et al.			
	6,203,193	03/20/01	Egawa			
	6,207,369	03/27/01	Wohlstadter et al.			
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	6,212,824	04/10/01	Orr et al.			
	6,242,262	06/05/01	Morken et al.			
	6,248,066	06/19/01	Barnett et al.			
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						YES	NO

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	6,299,347	10/09/01	Pompei			
	6,306,658	10/23/01	Turner et al.			
	6,333,196	12/25/01	Willson, III			
	6,373,570	04/16/02	McFarland et al.			
	6,380,605	04/30/02	Verhaegen			
	2001/0046471	11/29/01	Marek et al.			
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